

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- March 23, 1966

Appeal No. 8650 William Kilber, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 27, 1966.

EFFECTIVE DATE OF ORDER: June 7, 1966

ORDERED:

That the appeal for a variance from the lot area requirements of the R-3 District to permit two row dwellings at the southeast corner at Whitehaven Parkway and 35th Place, N.W., lots 856, 858, and 860, square east of 1296, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

(1) Appellant is the owner of three lots, all of which fail to meet the minimum lot requirements of the R-3 District.

(2) The three lots have a width of 18.52 feet each fronting on 35th Place. Lots 856 and 858 have a depth of 42.51 feet. The north boundary of lot 860 has a depth of 42.51 feet and the south boundary has a depth of 44.15 feet. The combined three lots have approximately 2406.86 square feet of land.

(3) Appellant proposes to re-subdivide the three lots into two lots, each consisting of 1203.43 square feet of land, a variance of approximately 800 feet from the requirements.

(4) Minimum lot requirements for row dwellings in the R-3 District are 2000 square feet in lot area and 20 feet in width.

(5) The proposed lots will have a 21.25 foot frontage on Whitehaven Parkway and a depth of approximately 55.55 feet. The new lots abut a 15 foot public alley in the rear. Appellant proposes to provide a parking space for each dwelling at the rear of the lot.

(6) The Progressive Citizens of Burleith objected to the granting of this appeal. A representative expressed the protest at the public hearing.

OPINION:

The Board is of the opinion that the appellant has proved an exceptional and undue hardship inherent in the land. Failure to grant appellant the relief requested will result in denying a reasonable use of the subject property.

Although the appellant's lots deviate from the requirements for lots in the R-3 District, the Board concludes that the appellant's proposal will result in a benefit to the neighborhood and is consistent with the purpose and intent of the Zoning Regulations. Further, the Board finds that the proposal will have no adverse affect upon the value and stability of the R-3 District in which the property is located.